

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, APRIL 28, 2016

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, April 28, 2016, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

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| President: | Culver |
| Councilpersons: | Russell, Robinson, Kling, Showers (Councilman Showers not present for entire meeting.) |
| Mayor: | Battle |
| City Administrator: | Hamilton |
| City Attorney: | Riley |
| City Clerk-Treasurer: | Benion |

President Culver called the meeting to order.

Rev. Anthony Ford led the invocation; Rev. Joey Aderholt led the pledge of allegiance.

President Culver stated that the next item on the agenda was Approval of Minutes.

The minutes of the Regular Meeting of the Council on April 14, 2016, were approved as submitted.

President Culver stated that the next item on the agenda was Resolutions and Special Recognitions.

President Culver recognized Mayor Battle.

Mayor Battle stated that there were not any recognitions

at this time. He stated that, however, he did want to let persons know that he would be leaving the meeting early in order to attend the HudsonAlpha Annual Meeting on Biotech.

President Culver read and introduced a resolution recognizing President Andrew Hugine, Jr., and the Alabama A&M University Family on their Fourth Presidential Community Engagement and Recruitment Tour, held February 1-5, 2016, as follows:

(RESOLUTION NO. 16-288)

President Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Culver recognized Councilman Showers.

Councilman Showers stated that he was delighted to recognize a historic university in the city for what they had been doing to generate students from across the state of Alabama, as well as the nation.

Councilman Showers asked President Culver to read the resolution recognizing President Hugine and Alabama A&M University.

President Culver read from the resolution recognizing the Fourth Presidential Community Engagement and Recruitment Tour led by President Andrew Hugine, Jr., of Alabama A&M University, with faculty and staff involvement, February 1-5, 2016. He continued that during this tour, scholarships had been presented to 757 students in 51 high schools, bringing

four-year scholarships awarded to more than \$14 million. He stated that this tour aimed to acknowledge excellence among high school students accepted to Alabama A&M University by recognizing them in assembly programs and having a presentation of their scholarships by President Hugine. He stated that it also aimed to encourage other students to strive for high academic achievement, and to tell the Alabama A&M University story.

President Culver stated that participants in this program included Dr. and Mrs. Andrew Hugine, Jr., faculty, staff, and other persons at the University.

President Culver stated that the City Council and the Mayor of the City of Huntsville wished to acknowledge, congratulate, and extend best wishes to President Hugine and Alabama A&M University upon the occasion of this recruitment tour and wish them continued success in all their future endeavors.

Councilman Showers asked Dr. Hugine and those persons who were accompanying him to come forward.

Councilman Showers stated that he appreciated these persons being present at this time.

President Culver recognized Dr. Hugine.

Dr. Hugine stated that he certainly appreciated this recognition and thanked the Council for acknowledging the very significant work of Alabama A&M University. He stated that a part of the mission of the University was that they were

committed to access and opportunity, and that this Presidential Engagement Tour had allowed them to carry out that phase of their mission. He stated that at Alabama A&M University they firmly believed that the place of birth should not in any way limit the educational opportunities to which young people had the opportunity to avail themselves. He stated that each year they went throughout the state of Alabama looking for the very best of the best, to allow them to have the opportunity to receive an education.

Dr. Hugine stated that for 141 years Alabama A&M University had been transforming lives. He stated that the City had many graduates of the University, including Councilman Showers, President Culver, and Councilman Kling.

Dr. Hugine stated that there were many great things happening at the University, and that they appreciated this opportunity to share just one of them. He stated that they had shared with each of the Council members a document entitled "The Top 10." He continued that one of the things he wanted to highlight was that the University had a significant financial impact on the community, being approximately \$220 million. He stated that the University was a part of Huntsville, a very integral part.

Dr. Hugine invited the Council members and the Administration to visit Alabama A&M University. He thanked the City of Huntsville, the Mayor, and others, for the continued partnership they had, and stated that they looked forward to

extending and expanding upon that.

Dr. Hugine stated that on behalf of the Board of Trustees, the faculty, the staff, the students, and the alumni, he wanted to thank them for this recognition of one of the greatest universities existing anywhere in the nation.

Mayor Battle stated that he had recently spoken to a class at Alabama A&M University, and that they certainly were a bright young group of students. He continued that on the prior evening, the PTA had given out scholarships, and that out of the nine scholarships, three students had announced they would be attending Alabama A&M University. He stated that evidently the Tour was having an effect, and they were doing a great job. He thanked Dr. Hugine for this.

President Culver stated that they wanted the community to know that they supported all their schools, and perhaps more so their State schools. He congratulated Alabama A&M University. He continued that they had also reached out to the University of Alabama Huntsville, noting that he understood they did similar tours and things of that nature. He stated that they were very proud of all their institutions of higher education.

President Culver asked if there were any Announcements.

There was no response.

President Culver stated that the next item on the agenda was Public Hearings to be Held.

(Mayor Battle is no longer present in the Council Chambers.)

President Culver stated that it was the time and place in the meeting for a public hearing on Ordinance No. 16-195, rezoning property lying on the south side of Redstone Road and west of Hobbs Road from Highway Business C-4 District to Residence 2 District, which hearing was set at the March 10, 2016, Regular Council Meeting.

President Culver recognized Ms. Ashley Nichols of the Planning Division.

Ms. Nichols stated that this rezoning request was for approximately 23.95 acres, located on the south side of Redstone Road and west of Hobbs Road. She stated that the property was currently zoned Highway Business C-4 District, and that the petitioner for the rezoning was requesting that the property be rezoned to Residence 2 District. She stated that the proposed developer and the petitioner currently had a contract on the property, and they would like to construct an approximate 60-lot, single-family, detached subdivision. She continued that single-family, detached dwellings were not permitted under the current zoning, and that was the reason for this petition for rezoning.

President Culver asked if there was anyone in the audience who would like to address the Council on this particular matter.

There was no response.

President Culver stated that the public hearing was closed.

Councilman Showers moved for approval of Ordinance No. 16-195, rezoning property lying on the south side of Redstone Road and west of Hobbs Road from Highway Business C-4 District to Residence 2 District, which ordinance was introduced at the March 10, 2016, Regular Council Meeting, as follows:

(ORDINANCE NO. 16-195)

Said motion was duly seconded by Councilwoman Robinson.

President Culver asked if there was any further discussion of the above ordinance.

There was no response.

President Culver called for the vote on the above ordinance, and it was unanimously adopted.

President Culver stated that it was the time and place in the meeting for a public hearing on Ordinance No. 16-197, rezoning property lying on the east side of Monte Sano Boulevard and east of Viduta Lane from Residence 1 District to Planned Development-Housing District, LUI Rating 35, which hearing was set at the March 10, 2016, Regular Council Meeting.

President Culver recognized Ms. Nichols.

Ms. Nichols stated that this property was approximately 7 acres and was currently zoned Residence 1 District and was located on the east side of Monte Sano Boulevard and east of Viduta Lane. She stated that the current rezoning request for this property was to zone it to Planned Development-Housing District, which she noted was commonly known as one of the PUD,

or Planned Development, districts.

Ms. Nichols stated that the current petitioner had a layout of approximately 21 single-family, detached homes. She continued that this Planned Development would not contain any commercial or other uses as were commonly seen within the other PUDs in the city, such as Providence and Lendon. She stated that the Land Use Intensity rating for this property basically correlated with the underlying zoning, noting that the rating was 35, which correlated with the Residence 1 District. She stated that based upon the ratios and the overall square footage, the property had a maximum residential floor area of 44,095 square feet, and it had a minimum open space requirement of 258,297.

Ms. Nichols stated that she had a Council report she had given everyone, and if someone did not have a copy, they could let her know, and she would provide it.

Ms. Nichols stated that the property would be built with public infrastructure, with the exception of the common areas. She continued that there would be preserved green space, parks, and other recreational facilities, and that a homeowners association would be present on the property.

Ms. Nichols stated that the display on the screen was the layout for the proposed Viduta Village, noting that this was the current concept for the proposed development. She stated that there were three different housing types being proposed within the development. She stated that there would be

Estate, Villa/Manor, and Garden Cottage lots, and that the size of the homes would range from 1500 square feet to 2500 square feet. She reiterated that the maximum floor area could not exceed the 44,095 square feet.

Ms. Nichols stated that the developer had presented Planning staff with a list of materials they would like to use, noting that one could see on the screen that they would like to not use the traditional gutter and curb. She stated that this was commonly seen in London, where there was just a flat curb, that it was pretty much level with the street, as depicted on the screen. She stated that within the development they would also like to have a number of street trees. She continued that they had provided Planning Staff with the landscaping ideas they would like to incorporate within the property.

Ms. Nichols stated that, also, they had requested several zoning waiver modifications, which she noted were shown on the screen, and which varied based upon the housing type and the lot size. She continued that on the display were various images that would basically be duplicated within the neighborhood, and that it would give one an idea of the character and the aesthetics of the final product. She continued that, also, what was being displayed was an example of the landscaping, the trees and different shrubbery they would like to incorporate within the plan.

Ms. Nichols stated that the developer could come up and give a few more details about the project, noting that he could

elaborate more on the zoning modifications, as well as talk about the encroachment zone he was requesting for the property.

Mr. John Blue, 5003 Garth Road, appeared before the Council, stating that the zoning request had started with the initial zoning, which he noted allowed for 14 lots, and that they had asked for a maximum of 21 lots. He stated that they had met the set-back requirements as far as the stand-off for the residential neighborhood to the south of the property, and that this was 45 feet, and they were 45 feet from the rear yards of the existing lots to the south. He continued that on the north side, they were buffered by two churches, and they did have a stand-off area for that, but that they had been allowed to do a somewhat smaller buffer area for this because of the non-residential types of usage.

Mr. Blue stated that the smaller lots, for the Garden Cottages, had been designed for older people who were interested in smaller lots so they did not have to maintain the larger lots. He stated that this was one of the things that had come out of their discussion with the community. He stated that these lots had been added in, and that there were six of them. He stated that for the remaining lots, the smallest lot would be 70 feet wide, and the larger ones would be 85 feet wide. He stated that, as far as the zoning was concerned, it was 15,000 square feet under the present zoning, but he believed they had reduced that to 12,600, so that there was a 3,000-square-foot reduction, on average, for the entire

community. He stated, concerning side yards, that there was 15 feet normally, but they had asked for 10 feet. He stated that that would be a 20-foot separation of the houses, from one to the other. He stated that the street was basically a through street, off Monte Sano Boulevard, going back to Mae Drive, which would be the swimming pool area. He continued that this would open up a little access toward that area.

Mr. Blue stated that they liked the idea of the smaller lots, primarily because it provided the opportunity for persons to enjoy new houses on Monte Sano. He continued that this would be one of the few developments for Monte Sano.

Mr. Blue stated that if there were any questions from the Council members, he would be glad to answer them.

President Culver stated that there might be questions at a later time in the meeting.

President Culver asked Ms. Nichols if she had any further comments.

Ms. Nichols replied in the negative.

President Culver asked if there was anyone in the audience who would like to address the Council on this matter. He stated that if persons wished to do so, they should position themselves in proximity to a microphone, and when they approached the microphone, to please state their name and address for the record.

Mr. Ernie Blair, 414 Monte Sano Boulevard, appeared before the Council, stating that he was a long-term mountain resident,

of over 25 years. He stated that he believed the Council members were aware that residents of the mountain were very passionate about their mountain, that they loved their mountain, and they loved the spaciousness and the openness of the mountain.

Mr. Blair stated that he felt that an over-crowded development in an environmentally sensitive area was not a good thing. He stated that, furthermore, this development was one-quarter mile from Monte Sano School, where children walked to school or were driven by their parents, and, additionally, students were going to that school to catch buses to go to other schools. He stated that they were very concerned about the additional traffic, especially now that they were opening it up to other areas to dump onto Monte Sano Boulevard, making it easier for them to go the Governors Drive route, which would pass the traffic in front of the school. He reiterated that they were talking about one-quarter mile from the school. He stated that the residents in the area just felt there was no good argument for an over-crowded development in an environmentally sensitive area, where there were children present, and to add more traffic to this problem.

Mr. George McCanless, 3218 Panorama Drive, appeared before the Council, stating that some years prior he had made a contribution to an office-holder who represented his neighborhood, as well as some other neighborhoods in the city, and that several weeks later this person had thanked him for

his contribution and had said that that was the only thing he had ever gotten from Monte Sano except trouble. He stated that he would admit that they were a troublesome group, because they just wanted to be left alone.

Mr. McCanless stated that there had been lots of outside influences that had impinged on Monte Sano. He continued that when Monte Sano had come into the city in approximately 1955, there had been a convenience store located across from what was now the Fire Hall. He continued that when they had come into the city, the area around this store was zoned Commercial, and that it was intended to be a commercial area for those in the community to shop, et cetera, as they had previously shopped at this convenience store. He stated that shortly after they came into the city, one television station and then another television station had discovered this commercial area on the mountain, and they had bought the store property and moved into the area and constructed large towers.

Mr. McCanless stated that they no longer had the convenience of the convenience store, because of it having been taken over by the television stations. He stated that later on, the telephone company had come along, and they were replacing copper wires with microwave for distant communication, and that they had the authority to come in without having to ask for it, and they had acquired some property and had put up huge microwave towers. He continued that this technology had now been replaced by fiberglass

cables, and the microwave towers were gone, and the sign said that this was now owned by the TVA, and they had huge satellite dish antennas, including some lying around on the ground, noting that this had become sort of a junkyard.

Mr. McCanless reiterated that, historically, the residents on the mountain had just wanted to be left alone. He stated that the City had put up a water tank, and it was not high enough to do the residents of the mountain any good, but it was high enough to obscure the view. He stated that they had complained about this, and that it was finally moved to the side of Governors Drive, about one-third of the way up the mountain. He stated that it had been then found, after it was being constructed, that it was going up opposite the City's overlook, so that the City had decided to cut the size in half and not build it up as high as had originally been intended. He stated that, at any rate, they had gotten the water tank off of Monte Sano. He stated that, however, they did have a huge water tank in the center of the mountain, up on stilts.

Mr. McCanless stated that they were very pleased to have a school on Monte Sano, noting that it had been there for many years. He stated that it had been suggested to close this school over the years, but the school was still there.

Mr. McCanless stated that what was happening at this time was a totally new attack on the zoning on Monte Sano, noting that they had been attacked in various ways, but this was unique. He stated that Mr. Blue had talked a lot in the

community meetings about Five Points, and that that was a fine area. He stated that, however, Mr. Blue did not live on Monte Sano, nor did he live in Five Points. He stated that they again had an outside influence pressing on Monte Sano, and the question was if the zoning regulations meant anything. He stated that he did not know if they did or not, but that he certainly hoped they did.

Mr. McCanless stated that the Council's vote on this matter at this time was going to decide whether money was going to be able to overpower the zoning regulations.

Ms. Carol Smith, 1304 Sierra Boulevard, appeared before the Council, stating that she was one of the old people who wanted one of the Cottage homes. She stated that there were six of these lots planned, and that she would guess that everyone would be kind of like her, that they did not have children, and that they would not be coming out on the Boulevard during school hours. She stated that she would have no need to go anywhere.

Ms. Smith stated that Mr. Blue was asking for 21 lots, and she stated that she would guess that whether it would be 21 lots or 14 lots, he was going to develop that land and not let it just sit there, because he was a developer. She stated that she did not really see that seven additional lots would make any difference in traffic or anything else up there. She stated that she would certainly be pleased to be a part of the community the mountain had.

Ms. Smith encouraged the Council to pass the ordinance that was before it.

Mr. Mark Tygielski, 3501 Mae Drive, appeared before the Council, stating that the proposed development was in his back yard, and that he did not believe anyone had any more of an interest in this than he did. He stated that he felt this would be good for the neighborhood. He stated that this 7-acre property was rarely mowed, except, thanks to Mr. Blue, it had been mowed the prior day. He stated that in its history, it was mowed only a few times a year. He stated that there had been a rental house there, but that it was abandoned, that he did not believe anyone had lived there for approximately seven years. He stated that there had been instances when in the middle of the night there would be three or four police cars on this property, with their lights flashing. He stated that it was not a good situation to have this property like this.

Mr. Tygielski stated that many persons were opposed to change, but that this had to change, that it was an eyesore in his back yard. He stated that to leave it alone and not do anything was not right, and that he was glad that someone had finally purchased the property and wanted to do something with it. He stated that the purchaser of the property had been very open with the community, that there had been approximately four meetings with the community to get input, and that the plans had been changed, that there had been some things that persons were not in favor of, and Mr. Blue had changed them. He stated

that he believed the first plan had more than 40 lots, and that persons were concerned about the density and the traffic. He stated that Mr. Blue had taken the number down to 21, and that this was not much more than 14, as had been mentioned previously. He continued that he did not believe there was any concern with the school being close by. He continued that he watched the kids go by every day, and he just did not believe there would be much of a problem.

Mr. Tygielski stated that, as far as helping, that there were no curbs and gutters on the mountain, and drainage was a problem. He continued that water from this land drained in his back yard and into his front yard, as well as over into the churches' property. He stated that by developing this property, it would take care of a lot of the drainage problems. He continued that, also, it was going to look better, noting that at this time it was ugly. He stated that there were Channel 19 guy wires, noting that they had a small lot that had been overgrown for years. He continued that they had finally cleaned it out, and that he believed it was because of this development. He stated that it still did not look good, but that at least it was not as overgrown as it had been.

Mr. Tygielski stated that some persons were saying that the proposed houses would be out of character with the mountain. He continued that the mountain was full of characters, and that none of the houses looked the same. He stated that he believed if there were another developer putting

in a road and 14 cookie-cutter houses, it would not help his property value, but that what was being proposed were some nice-looking houses, and he believed it was going to help his property, as well as everybody else's on the mountain.

Mr. Tygielski stated that he was glad that this was going to be done, and that it was going to be good for the neighborhood.

Ms. Carol Blair, 414 Monte Sano Boulevard, appeared before the Council, stating that she recognized that Mr. Blue could build, under the current zoning, 14 houses, and that there was nothing they could do about that. She stated that her concern was the high density, compared to the rest of the mountain. She continued that this was a very high-density development, and that this sort of development was completely out of character with anything on the mountain. She stated that she was concerned about the impact on the wildlife, noting that almost once a week as she walked or drove past that area, she would see deer, that there was a lot of wildlife, not only deer, but fox, raccoons, possums, squirrels, et cetera. She continued that they were going to be displaced. She stated that there would be disruption because the mountaintop, in general, was an environmentally sensitive, very unique area. She stated that she was very concerned about some of their uniqueness being taken from them.

Ms. Blair stated that it was her mountain, that it was her home, and she hoped the Council would consider all that had

been stated.

Ms. Lore Hislop, appeared before the Council, stating that she was a realtor with Averbuch Realty. She stated that she sold a lot of properties on Monte Sano, and that she had grown up on Monte Sano and was a huge fan of Monte Sano, and that her mother still lived on Monte Sano.

Ms. Hislop stated that she had a lot of interest in this matter. She continued that when this property had gone on the market, there had been a lot of interest shown in it. She stated that she was thrilled when she heard that Mr. Blue had purchased the property, noting that she had known his family for many years and that she was aware of the quality of the homes he built. She continued that she had never worked for Mr. Blue.

Ms. Hislop stated that she felt this was a real boon for the mountain, for resale values, et cetera. She continued that she did not think it would be a disruption to the mountain environmentally, like many people were worried about. She stated that there was an amazing Monte Sano Park with hundreds of acres, and the Monte Sano Pool owned many acres. She stated that her mother had deer going through her back yard every day, and that she did not know if she really loved it, but there were tons of deer up there.

Ms. Hislop stated that she felt this would be a great opportunity for Monte Sano, and that it would provide newer homes for people who wanted to stay on the mountain in a newer

home. She stated that, also, many persons had asked her to put them on the list for property on Monte Sano. She stated that she felt this would be of benefit to the community. She stated that she believed the residents of the mountain had won the lottery because Mr. Blue had purchased this property, that he was a quality developer, and that she believed he would do it right.

Mr. Bob Kirchner, 3911 Cooper Street, appeared before the Council, stating that his residence was located on the other side of the Monte Sano Pool. He continued that the outlets from the housing development area would be at the entrance to the Monte Sano pool, on the south side.

Mr. Kirchner stated that the parking lot for the pool was shown on City and County maps as a private drive, as opposed to a parking lot. He continued that on Google Maps and maps that persons had in their cars, when they were told how to get to the pool, if they were coming up Bankhead, it told them to go through his driveway, through the pool parking lot, to Georgetta or Mae Drive, on the other side. He stated that if the City maps were showing the pool parking lot as a driveway, or as a road, rather than a parking lot, this created a problem. He stated that he had talked with persons at the City mapping department, and they had agreed that it should be shown on the map as a parking lot, as opposed to a private drive, because that was exactly what it was. He stated that on Mae Drive there was a sign that said, "No Outlet," which meant

one could not go through the Monte Sano pool to get through his property and go out Bankhead. He stated that if one came in from the Bankhead side, there was a sign on Cooper Street that said "No Outlet," which meant one could not go through his property and through the parking lot to the pool. He stated that the problem was that the City Attorney's office did not want to change the map to show it as a parking lot.

Mr. Kirchner requested that the City change the map to show the Monte Sano Pool parking lot as a parking lot, as opposed to a private drive, and that his driveway that led into that, on the north side of the pool, be listed other than a private driveway.

Mr. Kirchner stated that he believed what would happen would be that as more and more people in this new development area would try to get out to go down Bankhead to get off the mountain, it would be much easier for them to go right through the pool property and through his property to get off the mountain on the north side.

Mr. Kirchner stated that this was what his concern was. He stated that he did not know if it could be arranged to at least change the City and County maps so that the people who would live in that area would know that that was not a throughway for public traffic. He stated that he also did not know if there was any response the Council might have as to how this might be done so that it would not be shown on the map as a roadway. He stated that on Sunday afternoons, at times the

US Mail would go down his driveway to deliver mail on Mae Drive. He stated that he would like to have this changed. He continued that this was not so much in any opposition to the housing development area, as long as the persons in this housing development area did not use the parking lot and his property to get off the north side of the mountain. He continued that they should go down Monte Sano Boulevard, according to the way the law would be stated.

President Culver stated to Mr. Kirchner that when the Council had finished with this hearing, they would address the matter with which Mr. Kirchner was concerned.

Mr. John Burns, 4119 Panorama Drive, appeared before the Council, stating that he lived on the mountain and remodeled houses on the mountain and did repairs for a lot of persons, some of whom were elderly. He stated that he had been told by several persons that they would like to move out of their big houses and move into something smaller and more manageable. He continued that they did not want to move off the mountain, that they had lived up there all their lives, and they loved it. He stated that after living on the mountain for four years, he certainly understood what they were talking about.

Mr. Burns stated that he believed this development they were discussing was what some of these people were looking for, such as the woman who had spoken previously. He stated that, also, he felt this would be a good addition for the mountain. He stated that, as had been stated, this debate was over seven

houses, because Mr. Blue could build 14 houses at this time, without anyone's approval, that all he would have to do would be to go and pull the permits and start building.

Mr. Burns stated that he felt the proposed development would increase the value of everyone's property because of the way it was designed and the aesthetics of it. He stated that he believed the residents on the mountain who disagreed with Mr. Blue's plan should stop and look around the mountain and see what he felt was a larger threat to the standard of living of residents on the mountain. He stated that this was just beginning to happen. He continued that persons were beginning to realize what they had on Monte Sano, and they were wanting to move to the mountain. He stated that Mr. Blue was a developer, and that he had seen the opportunity to give people what they wanted.

Mr. Burns stated that he had never met with or talked with Mr. Blue, but that he was doing what developers did. He continued that, actually, he was doing more than what most developers did, that he was listening to the concerns of the residents on the mountain and trying to make this work.

Mr. Burns stated that the threat he was talking about could be a lot worse than what Mr. Blue was proposing. He stated that when the mountain was first developed back in the 20th Century, that on the south side they were all 50-foot lots, much like down in Blossomwood and Old Town, with houses real close together, and small houses. He stated that if one

had lived in Huntsville very long or on the mountain, one would remember the cottages and cabins that had previously been all over the mountain. He stated that as time had gone by, the cottages and cabins had been torn down, and persons had bought several lots and built a house across several of the lots. He stated that the lots still existed, that the 50-foot lots were still there.

Mr. Burns stated that what was beginning to happen was that some of the lots that had been left over were being built on, and that an example of this was a lot on Wildwood and the Boulevard. He stated that this was just a small, odd-shaped lot, and a man had bought it and built a house on it. He stated that there was another one where the foundation was just being poured, on a 50-foot lot, and that it would be what he would call a "shotgun house," although he was sure it would not be a typical shotgun house, that it would be more like some built in Blossomwood. He stated that there was also a lot over on Nolen Boulevard that had just been sold, a half-acre lot. He stated that these lots were all lots that had been left over or they were lots that had been taken out of larger lots and converted back to the original size of the lot, and people were starting to build on them.

Mr. Burns stated that what he was afraid was going to happen was that someone was going to sell their house up on the mountain, on the bluff, and then there would be three houses replacing where one house had previously stood. He stated that

this would be legal to do because the setbacks were 10 feet, and in some cases only 5 feet, from the property line.

Mr. Burns stated that these lots were already established and on the books, and that unless the residents refocused their attention, that was going to start happening. He stated that the development that Mr. Blue was doing would pale in comparison to having persons selling their house, and then there would be three houses built where the one had originally stood. He stated that he did not know if they could make it like Old Town, which was protected, or exactly what could be done concerning this. He reiterated that the lots were already there, stating that all one had to do was look at Emaps, and one could see where houses on the south side of the mountain were built on several lots. He continued that it would not be long before persons would start doing this. He continued that recently three houses on the mountain had sold within two weeks of each other, for a total of over \$1.3 million, and that two of them had sold within three days of going on the market. He stated that people realized what was on the mountain, and they were wanting to be a part of it. He stated that as the real estate values went up on the mountain, developers would start looking at these individual lots, and they would buy a house sitting on two or three lots and tear that one house down and put up three houses in its place. He reiterated that he believed this was a bigger threat than what was being presented by the development they were discussing at this time.

Mr. Bill Patrick, 3500 Mae Drive, appeared before the Council, stating that his residence was located on the road that paralleled the development that was being discussed. He stated that he had lived on Monte Sano for 33 years and on Mae Drive for 25 years. He stated that he was one of the transitional characters on the mountain, that he was at the stage where he wanted to stay there, but perhaps in a smaller house. He stated that he had looked at this development from all angles, and that he believed Mr. Blue and his organization had done an outstanding job trying to communicate with the community what he wanted to do, and that he had amended and changed this project to suit some of the residents who had wanted some changes made.

Mr. Patrick stated that there were three things that appealed to him: No. 1, this was a new development of quality that would bring additional families to Monte Sano. He stated that there was a limited resource of developable land on the mountain. He stated that this development would have no commercial property within it, and that his understanding was it had been approved on that basis and could not be changed. He continued that it was a detached, single-family, residential development that would bring 21 new families to Monte Sano, in some capacity, that either he would move into one of the smaller cottages, out of his two-story house, and someone else would move into it, or a new family would come to Monte Sano and get in on what he believed was one of the best elementary

schools in the city.

Mr. Patrick stated that he, like Mark Tygielski, who had spoken earlier, lived virtually across the street from this property. He stated that Mr. Tygielski backed up to the property, and he was across from it. He stated that he had always been concerned about who would be developing this property. He continued that he believed they had an opportunity here, that they were dealing with an individual, in his opinion, that had a legitimate, good, worthwhile, and trustworthy track record in trying to develop quality houses. He stated that this met his No. 2 issue, that he believed they were dealing with a quality developer.

Mr. Patrick stated that, No. 3, if one looked at the plans in terms of the density, the density was only concerning the six smaller homes. He stated that he believed it was worth it to have these six additional homes, to make room for people that wanted a smaller dwelling as they aged and wanted to get out of a larger dwelling.

Mr. Patrick stated that he was very familiar with the traffic on Mae Drive, and that he did not perceive that this would create an additional significant traffic issue or an issue with the school. He stated that he was pretty much in support of this, that he concurred with everything that Mr. Tygielski had said and pretty much everything that everyone who was in favor of this development had said.

Ms. Jackie Reed appeared before the Council, stating that

she did not live on the mountain, but that she did live in everyone's neighborhood when it came to coming to the meetings and seeing what was going on around town.

Ms. Reed stated that she did not have anything against Mr. Blue, that, like persons had already stated, he was a quality developer and had been developing for many, many years. She stated that the only thing that really got her attention was when developers came in and changed the ordinances, the setbacks and the size of the streets, that they just changed the whole city. She stated that in looking at how close the houses were, she saw setbacks, encroachments, side yards, et cetera. She continued that they were changing every bit of the whole city.

Ms. Reed stated that she thought 14 houses would be great, but the encroachments and all that she did not agree with. She stated that it appeared that one could hardly walk between the houses. She stated that, also, she had heard that this was for older people, but noted that some of the houses would be two-story houses. She stated that she was not fighting the development, that she did not live on the mountain, but that she had questioned the Planning Department as to why they were allowing 21 houses when 14 could be built. She stated that that would solve a lot of problems. She stated that persons should read this very closely, noting that the whole lot was being changed on every one of them. She stated that that was what bothered her in the city. She continued that she did not

understand why they reached as far as they did to these developers, and that she was concerned about this.

Mr. John Blue again appeared before the Council, stating that he would like to take issue with a couple of things that had been mentioned and also point out a couple of things. He stated that when they had had the opportunity to purchase this land, they had talked to several persons on the mountain who were friends of theirs and asked them what they thought Monte Sano would need. He stated that the majority of them had basically said that they would like to get out of their larger house and get into something smaller, and that they would appreciate it if he would look at designing something with smaller yards and smaller houses. He stated that they had gone with this, and that initially they had 41 lots, with 41 houses on them. He stated that they had had more than seven meetings with persons on Monte Sano and that over 250 persons had attended overall. He stated that they had taken information from them, back and forth, and that originally they had had a commercial piece of property up there, that a little store had been suggested. He continued that, however, other persons had basically said no, and so they had taken that off.

Mr. Blue stated that they could have gone in there and developed this piece of property with 14 lots and most likely would already be under construction. He stated that, therefore, he took issue with the individual who had stated that all they were interested in was money. He stated that

that was not correct, that anything that he had done, he had tried to do with a special emphasis on something he could be proud of when he walked away from it. He continued that he believed this was a product that would address that. He stated that it addressed the issue of the smaller lots and persons who did not want a three- or four-thousand-square-foot home, although they wanted to be on Monte Sano if they could have 1500 or 2000 or 2500 square feet.

Mr. Blue stated that residents of Monte Sano prided themselves on being somewhat unusual and somewhat eclectic. He continued that people had spoken about that they did not want the mountain changed, but noted that that was all Monte Sano was, that it was a composite of a lot of changes, that they embraced change. He stated that this was not like they were taking over the whole mountain, noting that he believed there were more than 650 houses on Monte Sano.

Mr. Blue stated that he had been up on the mountain earlier in the day, just driving through and looking at things, and that he had noticed that a lot of the houses were in disrepair. He stated that he was a little concerned about building these houses, which he noted would be in excess of the value of a lot of the houses that were already on the mountain, but that he was willing to take that chance because, No. 1, they had a terrific school up there, and that people loved Monte Sano and wanted to be on Monte Sano, that they wanted to move up there.

Mr. Blue stated that what he was saying, basically, in a nutshell, was that he thought they had addressed the issues of a majority of the persons that had been coming to the meetings and saying what they wanted with this development. He stated that the Council had heard from a small group of people that basically had some issues with the development, whether it would be adding six more houses, for traffic, or putting a road through to the pool. He stated that if they did 14 houses, that road would go in, anyway, so it would be going to the pool anyway.

Mr. Blue stated that they were hoping that young families would buy on the mountain, because they could afford a smaller house and a smaller lot. He continued that their children could walk to Monte Sano, that they would not have to be driven to Monte Sano.

Mr. Blue stated that what he was saying was that they were trying to do something special. He continued that they had spent extra money on doing a Pattern Book. He stated that he did not do any development without an idea of what would be in store, noting that he had done this for The Ledges, for Lendon, and for another development on Four Mile Post Road. He stated that a lot of time, effort, and consideration had gone into this, and that it was not a cookie-cutter deal. He stated that if one looked at the houses at The Ledges, there were four architectural styles that they had selected out of Old Town in the downtown area. He stated that every house had a historical

root in downtown Huntsville, that none of them were the same, and they came out of the same Pattern Book. He stated that that was what their design was and it was what their desire was to do on Monte Sano. He reiterated that none of the houses would look alike, that they would all be different, and they would all be eclectic in some form or fashion.

President Culver asked if there was anyone else in the audience who would like to address the Council on this particular matter.

There was no response.

President Culver stated that the public hearing was closed.

Councilwoman Robinson moved for approval of Ordinance No. 16-197, rezoning property lying on the east side of Monte Sano Boulevard and east of Viduta Lane from Residence 1 District to Planned Development-Housing District, LUI Rating 35, which ordinance was introduced at the March 10, 2016, Regular Council Meeting, as follows:

(ORDINANCE NO. 16-197)

Said motion was duly seconded by Councilman Showers.

President Culver asked if there was any discussion of the above ordinance.

President Culver recognized Councilman Russell.

Councilman Russell stated that he represented this area, but he would never say that he knew it well. He stated that he had never lived on Monte Sano, but he had represented it for

14 years. He continued that he would never claim that he understood exactly what went on up there.

Councilman Russell stated that he mostly agreed with what everyone on both sides of the issue had said. He stated that Mr. Blue certainly had met with people and listened to people and had changed his plans, which he noted was appreciated. He stated that he had heard from persons for and against this development, and that the Civic Association was neutral, so that he could not say there was a huge percentage for or a huge percentage against the development.

Councilman Russell stated that what he would say was that he was not worried about the 14 or 21 homes, and the traffic, and things such as that, but that, in the end, he felt he had to protect the zoning, noting that this was a long-established neighborhood. He continued that he had been to so many meetings where persons had talked about zoning, and he had always told them that they needed to look at their zoning, that the City did not change zoning haphazardly. He stated that there were too many people against this zoning change for him to look them in the eye and say that the City had decided after all these years that they were going to change the zoning. He stated that he would be voting to keep it the way it was.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson stated that she believed this was her third time sitting through a presentation on this particular project, once on the Zoning Committee, and then on

the Planning Commission, and then at this meeting. She stated that she believed in all three of the meetings, and certainly at the Planning Commission and at this meeting, she had been struck by the fact that it did seem to be equally divided with regard to the residents, as to those in opposition to and for the development.

Councilwoman Robinson stated that she had been very impressed with how responsive Mr. Blue had been to the feedback he had received, from the Planning Commission, the public, and the neighborhood association.

Councilwoman Robinson stated that she really liked this concept, and she would love to see it in South Huntsville, because it seemed to her that Monte Sano was facing the same challenges as South Huntsville and other neighborhoods were facing, where they had graying neighborhoods. She stated that there were persons such as her husband and herself who had lived in their house since 1980 and all five of their kids had been born there, and they were gone, and she and her husband were staying. She stated that they had to have new families coming into these neighborhoods to keep their schools strong. She stated that, also, they had residents who were aging and could not care for their homes anymore, but they wanted to age in place in an area with which they were familiar and comfortable. She stated that this provided that opportunity, and that it also helped revitalize areas that were aging and were not a strength, necessarily, to the neighborhood.

Councilwoman Robinson stated that there had been some good questions asked earlier in the meeting which she believed deserved to be answered. She continued that she would like to go down the list.

Councilwoman Robinson stated that it had been expressed that the development was out of character with the Monte Sano neighborhood because of the high density. She stated that her question, to Ms. Nichols or someone else in Planning, was if there were other high density developments, in the nature of apartments, on Monte Sano.

Ms. Nichols stated that there were older apartment complexes existing south of this area. She stated that, historically, the top of the mountain was zoned Neighborhood Business C-1 and Residence 1 District, that these were the original zoning designations for this area, and the area had not been changed since 1963. She continued that there were also several other pockets within the city that had remained unchanged, but that at this time, 50-plus years later, they were starting to change. She reiterated that most of the multi-family was a little south of this area.

Councilwoman Robinson stated that there had been some concerns expressed regarding traffic. She asked if a traffic study had been done and if Ms. Nichols knew what the traffic impact would be.

Ms. Nichols stated that at this time, the project did not warrant any type of traffic impact study. She stated that she

had discussed this with Dan Sanders, Director of Traffic Engineering, and his staff. She stated that based upon the information that was listed in the ITE trip generation book, which she noted she was displaying at this time, 21 single-family, detached homes would generate approximately 9.5 trips per day, per home, so that it would increase the traffic by approximately 200 trips per day. She stated that she believed if there were 100 peak-hour trips or more, that would warrant a traffic study. She continued that Mr. Sanders could most likely verify this. She stated that she had also gotten information from Traffic Engineering, based on 2014 counts in the area, and that the average number of daily trips was 2,134, which she noted was very low capacity for Monte Sano Boulevard.

Councilwoman Robinson stated that what she believed was a very valid question had been addressed, and that she did not believe this had ever been asked in the Zoning Committee meeting or the Planning Commission meeting. She continued that this was regarding environmental impact and asked how this was being addressed.

Ms. Nichols stated that in their PUD requirements, that on top of just mappings and different schematics, all Planned Development Projects were required to submit a site assessment up front. She continued that the Planning staff evaluated that, with other information. She continued that this was unlike the Subdivision process, where they kind of did things

in a chain, that with the Planned Developments there were a ton of requirements that were asked of the developers up front, which she noted was the reason they did not see a lot of Planned Development requests, because they were so much more in detail. She stated that she would also display these requirements, as well.

Ms. Nichols stated that they started with a pre-application conference, which they had done, meeting with Mr. Blue, as well as Jason Johnson. She stated that they had done this back in September, and that they had not formally submitted an application until November. She continued that this item had not been presented until February, because there were several application materials, and other things, that the Planning staff had requested of the developer. She continued that the developer had eventually gotten everything that they needed, and they had worked out the numbers, and that everything had worked. She stated that, basically, as one could see on the screen, they had four pages before they would ever get to the recommendations. She stated that, also, outside of just Planning staff, they did have a departmental meeting, across the board, so they had met with Engineering, Fire, Utilities, Traffic Engineering, and other staff across the city, and they had certifications from those who had approved of the development and the documentation that was submitted by the developer. She stated that she had a copy of the site assessment, if the Council members would like to take

a look at it. She stated that she had two that she could pass around.

Councilwoman Robinson stated that the assumption she had made in listening to the initial presentation at the Zoning Committee was that this would largely be for seniors who wanted to move out of their homes and stay on the mountain, but that she believed it was worth noting that at the Planning Commission, there were a couple of young families who had talked about wanting to go into these homes. She continued that in talking with realtors, she had learned that millennials did not want to take care of yards, that they wanted smaller lots, and so this might be particularly attractive to seniors, as well as to young families, which could, again, only strengthen the school on the mountain.

Councilwoman Robinson stated that when she had been serving on the School Board, she had been approached about closing Monte Sano, and they had gone through that argument. She continued that she had been very aware of the shrinking population of the Monte Sano School. She stated that it was an excellent school, but there were not a lot of kids from the mountain that attended there. She stated that if they could increase that population of kids on the mountain, it would only help strengthen the school and strengthen the neighborhood. She stated that this development might very well be a good attractor for those families, as well as for seniors.

Councilwoman Robinson reiterated that she really liked

this concept and stated to Mr. Blue that if they did not want him on the mountain, she would love for him to come to South Huntsville.

President Culver recognized Councilman Kling.

Councilman Kling asked Mr. Blue if he could give a ball park estimate as to what these houses would sell for.

Mr. Blue stated that they had a rough estimate on the smaller cottages, noting that they would most likely be approximately \$250,000, and then the larger estates would most likely run from \$450,000 to possibly \$600,000.

Councilman Kling asked if it was correct that the Planning Commission had recommended this development.

Ms. Nichols replied in the affirmative.

Councilman Kling asked if any discussion or any plan of action had been set up as far as the impact of the drainage on the mountain, and also downstream.

Ms. Nichols stated that Engineering had done a review of the preliminary drainage drawings that they had been given by the engineer for the developer. She continued that the final plans would be evaluated when they came in for their traditional Subdivision process. She stated that within that, they had an internal review, as well. She continued that all the plans were double-checked by Fire, Engineering, and other City departments, to make sure they were in accordance with the City's regulations.

President Culver asked if there was any further discussion

from the Council members.

There was no response.

President Culver stated that his questions had kind of been answered. He stated that, as it related to the wildlife, he wanted to make certain they were not going to kill off Bambi and eat Bambi.

Ms. Nichols stated that they were not, that she was sure they would find a new place to go. She stated that they did have a list of all the physical features, and there was also a map that detailed the environmental assessment. She continued that the City's Environmental Planner had taken a look at that information, as well. She stated that he reviewed all of their site assessments for planned developments, as well as for the subdivisions.

President Culver recognized Councilman Russell.

Councilman Russell asked Ms. Nichols if it was correct that it did not matter if it was a Planned Development or an R-1 Neighborhood, that they were still going to do all the requirements.

Ms. Nichols replied in the affirmative.

Councilman Russell stated that Ms. Nichols was making it sound like this was something special. He asked if it was correct if the zoning remained Residence 1, they were still going to build houses, and it was still going to be fine, that the drainage would be taken care of, and the property values were going to go up, students were still going to go to school.

He stated that he believed they were making this sound better than it was.

Ms. Nichols stated that that was correct, that it was just that for a planned development, it was just all required up front, versus over a time period with the subdivision regulations. She stated that currently, under the zoning, Mr. Blue could develop 12 to 14 homes.

Councilman Russell asked if it was correct that they would have to be signed off by the City, and Engineering would have to make sure the drainage was taken care of, and the traffic was going to be studied, and the school would be open to accept those children.

Ms. Nichols replied in the affirmative.

President Culver stated that Mr. Kirchner had a question related to his driveway, and perhaps the parking lot there.

President Culver asked Mr. Hamilton if he could address this.

Mr. Hamilton stated that he was going to suggest that they have the Planning staff meet with Mr. Kirchner and make sure they understood fully what his concerns were. He stated that, as he understood it, these were concerns that needed to be addressed, regardless of what decision the Council might make on the zoning. He stated that, clearly, they needed to ensure that their mapping was accurate and that there was a clear designation between public right-of-way versus private driveway. He stated that with or without this rezoning, they

needed to look at this matter and make sure that what they had was accurate, and if not, they could get it fixed.

Mr. Hamilton asked that the Planning staff meet with Mr. Kirchner and get his information, and they would take a look at it. He continued that if there were other departments that needed to be pulled in on this, Planning could pull them in.

President Culver asked if there was any further discussion of the above ordinance.

There was no response.

President Culver called for the vote on Ordinance No. 16-197, and the following vote resulted:

AYES: Robinson, Kling, Showers, Culver

NAYS: Russell

President Culver stated that the ordinance had passed.

President Culver stated that the next item on the agenda was Communications from the Public.

Rev. Joey Aderholt, 2517 17th Street, appeared before the Council, stating that he was appearing at this time because his church land was adjacent to the new Walmart they were putting up off Bob Wallace. He stated that they were just asking for permission to put up a sign so persons would know where they were and in order for the community to know what activities were taking place. He continued that they were not only a church, but they strived to be a social community, where they did things for the community, and it would be good for persons

to know what they were doing.

President Culver recognized Councilman Kling.

Councilman Kling asked if Mr. Shane Davis, Director of Urban Development, was present at the meeting. He stated that he believed Mr. Davis had made contact with the corporate office of Walmart concerning this matter.

Mr. Davis appeared at the microphone.

Councilman Kling stated to Mr. Davis that Rev. Aderholt was asking about the sign for the church in front of the Walmart grocery store on Bob Wallace Avenue. He asked if it was correct that Walmart had given their approval for this.

Mr. Davis replied in the affirmative. He stated that it was ready to be installed whenever the church would like it.

Councilman Kling asked what the next step would be that Rev. Aderholt would need to do concerning this.

Mr. Davis stated that he should contact Mr. Jim McGuffey in the Planning Department.

Mr. Davis stated to Mr. Aderholt that he would give him Mr. McGuffey's direct number out in the hallway. He stated that Mr. McGuffey would help guide this process.

Mr. Ron Robinson, 2452 Mount Vernon Road, appeared before the Council, stating that he had been present at the prior Council meeting, speaking in opposition to the Utilities rate increase. He stated that he did not believe there was anything he could add to what he had said previously concerning this. He stated that he believed everyone was aware that there had

been no Social Security increase in the current year. He stated that, however, according to information he had read, Congress had borrowed, again, \$150 billion from the Social Security Program, and that, overall, Congress had borrowed \$2.7 trillion from the Social Security program.

Mr. Robinson stated that this was one reason that for the elderly and persons on Social Security, it was very important to watch increases very closely. He stated that back when gas was \$1.50 to \$1.60, the cost of groceries had not gone down, that, in fact, the cost of normal household groceries had gone up. He continued that in the past, when gas had gone up, they would blame the grocery cost increase on gas. He stated that there would be an impact later on, because most of the time the price of gas went up in the summertime.

Mr. Robinson stated that the Council should make sure they were well aware of the elderly and persons on low pensions, et cetera. He stated that a lot of persons who were making 30, 40, or 100 thousand dollars would not notice an increase, but persons who were making 12 to 24 thousand dollars would notice anything, gas, groceries, or anything else.

Ms. Jessica Rasche, 163 Ranier Street, Meridianville, appeared before the Council, stating that she was the 211 Program manager at Crisis Services of North Alabama. She stated that 211 was their community resource hotline. She stated that she would like to thank them, as representatives of the City of Huntsville, for their support of this very

important service. She stated that 211 was as easy to remember as 911, and that it was answered 24 hours a day. She stated that it connected persons with important community resources, including in times of disaster, and including after April 27, 2011.

Ms. Rasche stated that in the community, 211 was a partnership between Crisis Services of North Alabama and United Way. She stated that in 2015, the call center had answered more than 11,800 calls from Madison County and had almost 5,000 searches on their on-line resource data base.

Ms. Rasche stated, concerning what persons needed help with, that they were looking for homeless shelters, employment, food pantries, help for an aging parent, addiction prevention programs, tutoring, and childcare activities for children, affordable housing options, and transportation, to name a few. She stated that 211 allowed persons to give help and get help.

Ms. Rasche stated that through their partnership with the City on projects such as posting 211 posters at City bus stops and collaboration with the Office of Multicultural Affairs, the City had shown that 211 was important to them and was important for the city. She stated that their support, past and present, was appreciated, and that they looked forward to a continued partnership with them in the future.

President Culver thanked Ms. Rasche for her work and help.

Ms. Jackie Reed, Jack Coleman Drive, appeared before the Council, asking that the record reflect that the Mayor was not

present.

Ms. Reed thanked the Council for allowing the public to have input at this meeting. She stated that she hated to comment concerning the Monte Sano property, but that she had felt she needed to.

Ms. Reed stated that if someone got a phone call from the IRS saying that they had been sued by them, they should hang up. She stated that she had gotten one, and that she had called back three times, and she had told them that her lawyer would be talking to them. She stated that now the phone had been disconnected. She reiterated that if persons got some of these calls, they should not send anyone any money, that if someone wanted money, they would put it in writing. She continued that they should make persons put it in writing if they wanted money, that they should not listen to the scam telephone calls.

Ms. Reed stated that she had been depressed, that she had been going through her library at her house, going way back, with the City of Huntsville. She stated that she had been living in Huntsville since 1958. She stated that she saw a new downtown on the way, that they had been preaching about that a long time.

Ms. Reed stated that she was concerned about the garage at Clinton Row. She stated that, also, the Utilities' increase would be coming back, whether they liked it or not. She continued that they had already voted on fiber and

smart meters, and now they had to pay for it, but they could play with politics all day long if they wanted to, as they had done at the prior meeting, when they should have passed it.

Ms. Reed stated that she had gone to the Engineering Department trying to find out some things about the condos downtown. She stated that that was City-owned property, and that the Administration was absolutely giving it away, that they were giving the city away. She stated that she wished the people would wake up. She continued that if they did not wake up during the next election, she was going to jump the fence and join the developers and help them sock it to them. She stated that the City was not taking any money, that they were giving away money, and that that was bad.

Ms. Reed stated, concerning the condos, that the City owned that property, and there were two or three renewal leases, and that the developer was building it at this time, and that the lease was \$100 per year, for 200 condos. She asked if they had had anything to do with the parking garage, if anyone knew this. She stated that she guessed they did not, noting that they would not answer her if they did.

Ms. Reed stated that she would like to know if the City had built part of the parking garage, noting that she was really concerned that they kept giving the city away rather than making the developers put up some of this money.

Ms. Reed stated that traffic was terrible all over the city, and it was getting worse, and that they kept wanting to

bring more people in, when they needed to solve some of the problems in the city.

Ms. Reed stated that she would like to have the Master Plan for Cummings Research Park shown to the public at a Council meeting. She continued that they should show the public what they were going to do with this Park. She stated that she would also like for the public to see the Master Plan of John Hunt Park. She continued that she wanted to know what was going to happen to Joe Davis Stadium before August the 23rd, as well as the Coca-Cola plant. She stated that she could talk a long time about what they had been talking about and what they were really going to do. She continued that they were sitting back until after the election.

Dr. Clarence Johnson, 3302 Buttrey Drive, appeared before the Council, stating that he was the Social Justice Chair for the North Huntsville Community United For Action, and that he would like to submit a Freedom of Information Act request to Mayor Battle and Council President Will Culver, with a courtesy copy to Councilman Showers. He stated that this was a request for a copy of the City payroll, listed by departments and other features; a request for the total number of police officers, by assigned positions and other features; and, also, a request for traffic citations written in the city of Huntsville, in chronological ZIP Code order, with dates given for the request, et cetera; and a copy of the present Huntsville City workforce analysis.

Dr. Johnson stated that in the past, Mr. Hamilton had been very helpful in providing information under a FOIA that he had requested, and that he looked forward to working with whomever to obtain this information.

Dr. Johnson stated that, additionally, he would like to again reassert a constant mantra of his, being police and community relationships. He stated that they were about to go into another summertime situation, and he was still concerned about positive police and community relationships in North Huntsville. He continued that he would like to have information as to what was going on in that regard, although it was not part of his FOIA request. He stated that he would like to talk to the Chief or whomever could shed light on this, noting that he could shed light on this from a community organization perspective.

Dr. Johnson thanked the Council for the opportunity to speak.

President Culver stated to Dr. Johnson that they would get his request from him, and that they could also ask Chief McMurray for an update concerning police and community relationships. He stated that he believed Dr. Johnson would be satisfied with what Chief McMurray would share with him, but that he would let him be the judge of that.

President Culver stated to Ms. Reed that Mayor Battle had been present earlier in the meeting, but he had had to leave in order to attend another event.

President Culver stated that the next item on the agenda was Board Appointment Nominations.

Councilman Russell nominated Debbie Reed Batson for reappointment to the Huntsville-Madison County Railroad Authority, for a term to expire May 22, 2021.

Councilwoman Robinson nominated Ernest A. Young for reappointment to the Huntsville-Madison County Convention and Visitors Bureau Board of Directors, for a term to expire April 11, 2020.

President Culver asked if there were any further nominations.

There was no response.

President Culver stated that the next item on the agenda was Approval of Expenditures.

Councilman Showers read and introduced a resolution authorizing expenditures for payment, as follows:

(RESOLUTION NO. 16-289)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by President Culver.

President Culver asked if there was any discussion of the above resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

President Culver asked Councilman Showers if there was a Finance Committee Report.

Councilman Showers replied in the negative.

President Culver stated that the next item on the agenda was Communications from the Mayor.

President Culver recognized Mr. Hamilton.

Mr. Hamilton stated that the Mayor wished to announce the appointment of Tim Packard to the Cummings Research Park West Design Review Committee, effective April 28, 2016.

Mr. Hamilton stated that Ms. Reed had asked about the status of the Cummings Research Park Master Plan and stated that that process was ongoing. He stated that the Council had approved an expenditure in partnership with the Industrial Development Board, hiring a team to conduct a Master Plan review and update for Cummings Research Park, and that that process was moving forward. He continued that within the next 60 days, there would be public meetings not only with the companies and entities that resided in Cummings Research Park but also opportunities for the general public to be able to see that Plan in draft form, and to also be able to provide input prior to it going through the approval process.

Mr. Hamilton commended the departments who had been working on Big Spring Park East. He stated that persons might have noticed that there was still fencing in place to protect the new grass, but that the renovation of the Park was essentially complete. He stated that on May 5, there would be the grand reopening, with a band and other festivities, and that the City Council members and the public were invited to

join the Mayor for this event, on the evening of May 5. He stated that the Park would then be fully opened and all areas in Big Spring Park East would be accessible. He stated that quite a few City departments had been directly involved in the work there, including General Services, Engineering, Landscape Management, Public Works, and perhaps others, as well as some contractors. He stated that it had been a joint effort among multiple departments and great professionals on the City staff that had made this happen very efficiently. He stated that it could have been done much more expensively, but they had found a way to do it and to be very resourceful and efficient with taxpayer dollars, and that it was a great renovation to the Park.

President Culver stated that the next item on the agenda was Communications from Council Members.

President Culver recognized Councilman Showers.

Councilman Showers stated that on the prior Friday there had been the official opening of Dr. Joseph Lowery Boulevard, a new gateway to Downtown Huntsville, and thanked the Mayor and the Council members who had been present for the event. He stated that the official ribbon-cutting and dedication would be at a later date, pending when Dr. Lowery could come to Huntsville. He continued that the public would be advised as to the date of this ceremony. He stated that, also, on that same date, there would be a book signing at Drake Technical Community College, which also would be announced to the public

later.

Councilman Showers encouraged persons to attend Panoply April 29 through May 1.

Councilman Showers stated that on the prior Tuesday he had had the opportunity to attend a graduation of the Diversity Leadership Colloquium, noting that 17 students had graduated from this program, at the Utilities Training Room. He continued that the speaker for that event had been Col. (Ret.) John Olshefski.

Councilman Showers stated that on Wednesday, May 4, there would be the First Annual Police Officers Memorial Service for Fallen Officers, at 5 p.m., at 815 Wheeler Avenue.

Councilman Showers stated that on the following Saturday at 6 p.m., he would be attending the Kids Table Harriet Tubman Awards Ceremony, at 1605 Pulaski Pike.

President Culver recognized Councilman Russell.

Councilman Russell stated that he had attended the installation service at First Baptist Church for the new pastor, Travis Collins. He stated that he was a dynamic leader, and he felt everyone would be pleased with all his efforts to make the city better, that he believed he would do a great job.

Councilman Russell stated that April 21st had been Red Cross Giving Day, and they had asked everyone to help one family on that day, and he had been able to go down and give blood. He stated that if everyone could take time out to help

one family, a lot could be done in the community.

Councilman Russell stated that Huntsville and Grissom had competed in baseball the prior weekend, and that Huntsville had won the series, that it had been a great series, and that both schools had represented themselves very well. He continued that Huntsville would host Bob Jones the upcoming weekend in the State tournament, and Grissom would play Sparkman, which was a very good team. He stated that both teams would be in action, and he hoped persons would be able to get out to see them. He stated that, also, Randolph School was playing in the playoffs, and they would be hosting Madison County.

Councilman Russell stated that he had recently attended, along with Councilwoman Robinson, a meeting of the Huntsville Police Citizens Advisory Council and stated that he really appreciated what this group did. He stated that there had been a lot of good discussion about body cameras, and that he had learned quite a bit from the officers, who had done a very good job of explaining what they did and how they expected the body cameras to work.

Councilman Russell stated that he would like to remind everyone that Panoply would be held the upcoming weekend, and that Friday would be 5th Grade Day. He stated that normally this event brought the rain, but they were certainly hoping that it did not do so this time, and that it would be a good event.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson stated that in honor of Administrative Professionals Week, she wanted to acknowledge that they had a lot of great people who served the community and the professional staff in the City. She continued that she would particularly like to recognize the ones the Council worked with and publicly thank Ms. Tamika H. McWilliams and Ms. Gail Phillips. She stated that they took wonderful care of the Council members and helped them to serve the community as a whole. She continued that she just wanted to thank them publicly for the work they did.

Councilwoman Robinson stated that Ms. Phillips had assisted her with her Town Hall meeting on the prior Monday evening. She continued that she was honored to have had Ms. Jackie Reed at the meeting and thanked her for her attendance. She stated that the focus of the meeting had been on the relocation of Grissom High School, and that they had had the principal of Grissom, Rebecca Balentine, as well as Elisa Ferrell, who was on the School Board, to share with them some drone footage of the school and to look at the plans, and that the public had had the opportunity to ask some questions concerning this. She stated that she believed there were only three persons in attendance who actually had children in the schools, and the other persons were just taxpayers who were very interested and had asked some very good questions about the relocation, the timeline, and how the school was going to impact the neighborhoods. She stated that it was really going

to be a game changer, as would the new Jemison High School for that neighborhood. She stated that they were certainly seeing some exciting things happening with the schools in the city.

Councilwoman Robinson stated that, as Councilman Russell had mentioned, they had attended a Huntsville Police Citizens Advisory Council meeting, and that she really appreciated the information they had learned about the body cameras and the tasers, but what was most interesting to her was to see how the Advisory Council worked and how they interacted with the police force, and the input that they were able to give to the police. She stated that it had been very interesting, noting that she had never attended one of these meetings previously. She stated that if persons had the opportunity to do so, she would highly recommend it.

Councilwoman Robinson stated that on the following Saturday, April 30, from 9 to 12, was a South Huntsville cleanup day. She continued that some neighborhoods had already been responding to this, that she had talked to the Green Team staff, and they had told her that persons had been picking up supplies and getting ready to take care of things. She stated that the focus was going to be on entrances, curbs, and gutters, that if they could just do that, it would go a long way toward keeping the neighborhoods great places to live. She stated that they had also arranged for a hazardous waste disposal trailer to be in the south Grissom parking lot from 9 to 12 on that date. She continued that persons could bring

electronics, chemicals, and other things they would like to dispose of. She thanked the Green Team, particularly Josh Renzi, as well as Keith Atchley in Community Development. She stated that part of this effort had been not only to clean up on Saturday, but the neighborhood captains had been giving them, in advance, a long list of properties that they wanted Community Development to go and look at. She stated one neighborhood association president had advised her that they had seen a remarkable difference in their neighborhood as a result of the sweep Community Development had done. She thanked them for this.

Councilwoman Robinson stated that on Saturday, May 14, the South Huntsville Business Association would be sponsoring Springfest, to be held in Rosie's Plaza. She stated that Rosie's, Blue Plate, and Nick's Ristorante would all be having food there, and that various South Huntsville businesses would be having displays. She stated that this would be a great opportunity to support businesses in South Huntsville. She stated that there was no doubt that the construction was having an impact on these businesses, noting that she had heard from a couple of them. She stated that Harrison Diamond, Business Relations Officer, had said to not only shop local, but to shop micro-local, to shop one's neighborhood. She asked persons in South Huntsville to come out and support not only the businesses at Rosie's Springfest on May 14th at 3 p.m., but also throughout the week, noting that the businesses were open

for business, and the construction traffic was not as bad as one might think.

Councilwoman Robinson asked Mr. Hamilton how the Council's failure to fund Huntsville Utilities infrastructure at the prior meeting would impact the City's bond rating.

Mr. Hamilton stated that it would be very difficult to answer Councilwoman Robinson's question fully and directly at this time. He continued that the multiple agencies who provided these ratings each had their own way of measuring their level of confidence in a particular entity that might issue debt, and that they would not necessarily come back with the same answers. He stated that, first, Huntsville Utilities had a rating, and that their ability to continue to grow, their ability to sustain their infrastructure, their ability to pull the revenues they needed to sustain their business model was going to be evaluated and scrutinized very closely. He stated that the first answer would be reflected in the bond rating that they would receive. He stated that their ability to raise their rates and pull in the appropriate revenues would have the most direct impact on their bond rating.

Mr. Hamilton stated that, indirectly, the City's bond rating certainly could be impacted, when they looked at the municipal government, their ability to sustain their economy, to grow the city, to grow the revenues the City needed to sustain services, et cetera. He continued that all these things would go into the mix, and the City's partnership with

Huntsville Utilities would be part of that evaluation. He stated that they would not be looking just at how well the City was sustaining what they had but would also be looking at the City's ability to continue to grow, and to grow the revenue models necessary for the city to grow.

Mr. Hamilton stated that persons heard the Mayor and others say often that if a city was not growing, it was dying. He stated that there was not a flatline available to a municipality. He continued that all the city's infrastructure needs, all their Capital investments, became part of that evaluation. He stated that it was certainly something that would be looked at, but whether or not the risk was sufficient to change the City's bond rating, he did not have the ability to answer that question. He continued that it was certainly part of the mix.

Mr. Hamilton stated that there were a number of public entities that were directly involved in partnership with the City, in sustaining and growing the city. He continued that the School System was part of that, the Solid Waste Disposal Authority was part of that, as well as the Industrial Development Board, a number of public entities that had to perform successfully, and that certainly their performance would have some ability to influence the way the rating agencies looked at the City's bond rating. He stated that they would not know for certain until they were into the process, but that they would scrutinize the viability of

Huntsville Utilities when they looked at the City's ability to sustain the city, that that would certainly be part of their evaluation. He continued that they would look at the competence level, that the leadership, not only the Administration but also the City Council, was prepared to make the decisions necessary to sustain the city, grow the city, and invest in the capital needs of the city. He stated that all of those things were part of the discussion, part of the mix, when they did their evaluations.

Councilwoman Robinson stated that this just underscored her continuing concern that this was an issue that needed to be addressed. She stated that she had previously requested that they have a work session at some point to discuss how they could move forward on this and some particular options. She continued that she believed that persons at Huntsville Utilities were looking at that.

Councilwoman Robinson stated that she would once again go on the record to ask for this work session.

President Culver stated that he had spoken with each of the Council members except Councilwoman Robinson, who was next on his list, regarding some suppositions as it related to trying to help Huntsville Utilities further their goal. He stated that he had also had meetings with Mr. Olshefski at Huntsville Utilities, as well as further discussion with Mayor Battle. He stated that they were looking to do something, but it was going to be predicated on when

Huntsville Utilities could get back with them and work out some kind of amicable resolution.

President Culver recognized Councilman Kling.

Councilman Kling stated, concerning the Huntsville Utilities matter, that he would echo Councilwoman Robinson on having a work session. He continued that it would be helpful in this process if Huntsville Utilities knew specifically the concerns and questions that Council members had going into such a work session.

Councilman Kling stated that he believed they should make it a televised work session, for the benefit of the public. He stated that he believed the public wanted to know what specific Capital projects would be tied to the bond issue that this rate increase would be tied to, so that they would not just be saying that a rate increase was granted because it would be used for, quote, Capital projects, but exactly what it would be. He stated that there had been some discussion about smart meters, and he believed they needed to have a good, in-depth discussion on this, so that the Council and the community would know exactly what smart meters entailed, what the cost would be for smart meters, specifically for the Huntsville area, however they could break it down, so that they could see what the cost/benefit analysis was that they would get for that.

Councilman Kling stated that he believed it would be a good thing to have a work session on this, and that Utilities

could hear concerns from individual Council members, although he felt they most likely had a good idea on this from the past discussions, as to what the Council members' concerns were on this matter, or what preferences they would have on this, if they were to come back with something. He stated that he knew this was something they would be talking about, and that he was aware that it would come back before the Council again.

Councilman Kling stated that he believed it was worth pointing out that the Solid Waste Disposal Authority had not come back to the City with an increase in tipping fees in well over 15 years. He stated that perhaps Huntsville Utilities could find out how the Solid Waste Authority did things. He continued that he was aware they were two different "peas in a pod," but there might be some things that one could learn from the other.

Councilman Kling stated that he would certainly echo what Councilwoman Robinson had said about holding a work session on this matter and reiterated that if they could they should make it a televised work session so they could get as much information out to the public as possible.

President Culver stated that he was certainly open and receptive to that, but noted that, of course, the ball was in Huntsville Utilities' court at this time, that they were waiting on word for them as to when they would be ready for a work session. He continued that he believed they had already commenced to go back and revisit and revise their plans.

President Culver stated that on May 16, at 6:30 p.m., he would be holding his third Town Hall meeting at the Clubhouse at Heritage Estates. He stated that this was in Limestone County but within the city limits of Huntsville. He stated that they had submitted to him a laundry list of items that concerned them, from police services to water rates to a variety of things, and that he would be prepared to address these matters. He stated that Ms. McWilliams would be sending out emails to members of the Mayor's staff regarding what help they could render for this meeting.

President Culver stated that on the upcoming Sunday, he would be emceeding an event at Panoply and invited persons to visit with him.

(Councilman Showers is no longer in attendance at the meeting.)

President Culver stated that the next item on the agenda was Unfinished Business Items for Action.

Councilman Russell moved for approval of Ordinance No. 16-265, annexing 0.48 acre of land lying on the east side of Weatherford Drive and north of Harbin Road, which ordinance was introduced at the April 14, 2016, Regular Council Meeting, as follows:

(ORDINANCE NO. 16-265)

Said motion was duly seconded by Councilman Kling.

President Culver recognized Ms. Nichols of the Planning Division.

Ms. Nichols stated that this request was for approximately .48 acre located on the east side of Weatherford Drive and north of Harbin Road. She stated that when the first phase of Hermitage Place had been created, the property had been developed within the Madison County jurisdiction, and through the middle of this phase, the County had placed a moratorium on septic systems, so the property owner at the time had annexed the remaining portion of the property into the city limits, so that was why there were approximately 20 homes out in the remaining portion of the subdivision. She stated that this particular property owner had requested annexation in order to have access to City sewer services.

President Culver asked if there was any further discussion of the above ordinance.

There was no response.

President Culver called for the vote on Ordinance No. 16-265, and it was unanimously adopted by the Council members present.

Councilwoman Robinson moved for approval of Ordinance No. 16-266, amending Ordinance No. 04-315, Personnel Policies and Procedures Manual, Section 10.8, Family and Medical Leave; Section 10.18, Bereavement Leave; and Section 19, Employee Assistance Program, which ordinance was introduced at the April 14, 2016, Regular Council Meeting, as follows:

(ORDINANCE NO. 16-266)

Said motion was duly seconded by Councilwoman Robinson.

President Culver recognized Mr. Byron Thomas, Director of Human Resources.

Mr. Thomas stated that this was an ordinance to amend, as was indicated, Section 10.8, Family and Medical Leave policy. He stated that they needed to make some clarifications to the meaning of "Parent," as well as "Spouse," and also to clarify some terms related to when employees took Family Medical Leave related to military service. He stated that they were also updating Section 10.18, the Bereavement Leave policy, to include "Step-parent." He continued that it already covered step-children and step-siblings and that they needed to clarify that it also included step-parent. He stated that there was also an amendment to Section 19, the Employee Assistance Program. He stated that the title of Ms. Pam Stephens, who coordinated this program, had changed, so they needed to update this to reflect her new title. He continued that they had also updated the term "Physician" to be more appropriately classified as "Healthcare Provider," and that they had changed the name from "Employee Health Clinic" to the City's "Health and Wellness Center."

President Culver asked if there was any discussion of the above ordinance.

There was no response.

President Culver called for the vote on Ordinance No. 16-266, and it was unanimously adopted by the Council members present.

President Culver stated that the next item on the agenda was New Business Items for Introduction.

President Culver introduced Ordinance No. 16-290, declaring certain equipment surplus and to be sold at public auction.

President Culver stated that the next item on the agenda was New Business Items for Consideration or Action.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Advance Local, LLC, d/b/a Alabama Media Group, for advertising services, as follows:

(RESOLUTION NO. 16-291)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the Mayor to accept the low bid meeting specifications and effectuate an agreement on behalf of the City of Huntsville, a municipal corporation in the State of Alabama, as follows:

(RESOLUTION NO. 16-292)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the acceptance of donations, as follows:

(RESOLUTION NO. 16-293)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the City of Huntsville to participate in the National Purchasing Partners Contract VH1405 for the purchase of Public Facility Interior Furnishings, as follows:

(RESOLUTION NO. 16-294)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced an ordinance amending Budget Ordinance No. 15-642 by changing appropriated funding for various departments and funds, as follows:

(ORDINANCE NO. 16-295)

Councilman Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced an ordinance amending Budget Ordinance No. 15-935 by changing appropriated

funding for various departments and funds, as follows:

(ORDINANCE NO. 16-296)

Councilman Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution approving travel expenditures, as follows:

(RESOLUTION NO. 16-297)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced an ordinance amending Budget Ordinance No. 15-642, by changing the authorized personnel strength in various departments and funds, as follows:

(ORDINANCE NO. 16-298)

Councilman Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Stanard & Associates, Inc., to develop and administer the written examination for the position of

Driver-Engineer, as follows:

(RESOLUTION NO. 16-299)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and The Arts Council, Inc., dba Arts Huntsville, as follows:

(RESOLUTION NO. 16-300)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the City Attorney to settle the claim of Michele Brazelton and Brian Stamp, as follows:

(RESOLUTION NO. 16-301)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the City Clerk-Treasurer to invoke American Bank of Huntsville Letter of Credit No. 2013-045 for The Cottages at

Indian Lake Subdivision, as follows:

(RESOLUTION NO. 16-302)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the City Clerk-Treasurer to invoke First Commercial Bank Letter of Credit No. 831251823 for Grand Lake Subdivision, as follows:

(RESOLUTION NO. 16-303)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the City Clerk-Treasurer to invoke Bryant Bank Letter of Credit No. 1193 for Oak Grove at Farley Farms Phase 4 Subdivision, as follows:

(RESOLUTION NO. 16-304)

Councilwoman Robinson Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the

City of Huntsville and the low bidder, Wiregrass Construction Company, Inc., for Downtown Gateway (Harvard Road Extension)-REBID, Option No. 10 and Option No. 11, Project No. 65-11-RD03, as follows:

(RESOLUTION NO. 16-305)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and ADS Environmental Services, a Division of ADS, LLC, for InfoNet integration for CMOM Management, Project No. 71-16-SP31, as follows:

(RESOLUTION NO. 16-306)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Change Order No. 1 to the agreement between the City of Huntsville and Wiregrass Construction Company, Inc., for Resurfacing of Residential Streets-2015, Phase I, Project No. 65-15-RR02, as follows:

(RESOLUTION NO. 16-307)

Councilman Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Memorandum of Agreement among the Alabama Law Enforcement Agency, the Alabama Gulf Coast High Intensity Drug Trafficking Area, and the City of Huntsville Police Department to accept the FY 2016 High Intensity Drug Trafficking Area (HIDTA) grant, as follows:

(RESOLUTION NO. 16-308)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted by the Council members present.

Councilman Russell moved for approval of a request for authorization to advertise and fill one (1) position of Parking and Public Transit Services Worker, which motion was duly seconded by Councilwoman Robinson and was unanimously approved by the Council members present.

Councilman Russell moved for approval of a request for authorization to advertise and fill one (1) position of General Services HVAC Technician, Grade 13, and fill at a higher rate than minimum if necessary, which motion was duly seconded by Councilwoman Robinson and was unanimously approved by the Council members present.

Councilwoman Robinson read and introduced a resolution

authorizing the Mayor to enter into an agreement between the City of Huntsville and Insight Public Sector, Inc., to perform Arbitrator Server Upgrade and Body-Worn Camera Deployment Services, as follows:

(RESOLUTION NO. 16-309)

Councilwoman Robinson moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Culver recognized Councilman Russell.

Councilman Russell stated that he had some questions for the ITS Department.

Mr. Bill Steiner, Director of ITS, appeared at the microphone.

Councilman Russell asked Mr. Steiner for an explanation of the above resolution.

Mr. Steiner stated that this was for the final server work for the body-worn cameras, and that it consisted of configuration of the server, the cameras, and training. He stated that this would be last outside vendor that would have anything to do with this matter. He continued that they hoped to have all the cameras done and this entire matter wrapped up in approximately 12 days.

Councilman Russell inquired as to the cost of the contract.

Mr. Steiner stated that it was \$7,448.

Councilwoman Robinson asked if this was a consultant, a firm, or what.

Mr. Steiner stated that the server was called an "Arbitrator," noting that was the name of the application, and that this was an expert that they had contracted through Insight, who was on a contract to come in and actually tune the server, do all the updates, do the upgrades and patches. He continued that it would also include tuning up the cameras and making sure all the cameras matched, and just to clean up the entire thing, to get it ready.

Councilman Russell stated that it appeared that this was a small portion of a larger contract. He asked if Mr. Steiner could explain the contract format.

Mr. Steiner stated that that was money that was actually put out for a huge project, that he believed it was four hundred and some thousand dollars, for a number of Police Department projects.

Councilman Russell asked Mr. Steiner if after this work would be done, if the system would be up and running at 100 percent capacity.

Mr. Steiner replied that that was certainly their expectation.

President Culver called for the vote on Resolution No. 16-309, and it was unanimously adopted by the Council members present.

Councilwoman Robinson read and introduced a resolution authorizing the Mayor to execute, on behalf of the City of Huntsville, a Settlement Agreement and Release among the

Public Building Authority of the City of Huntsville; American Pan & Engineering Co., Inc., n/k/a American Pan Enterprises Co., Inc.; and Dawson Building Contractors, Inc., in that lawsuit styled "Dawson General Contractors, Inc. v. The Public Building Authority of the City of Huntsville, et. al," in the Circuit Court of Madison County, Alabama, as follows:

(RESOLUTION NO. 16-310)

Councilwoman Robinson moved for approval of the foregoing resolution, which motion was duly seconded by President Culver.

President Culver recognized Mr. Riley.

Mr. Riley stated that this was a settlement of one of the final remaining components of what had been a long and painful chapter in what he would refer to as the "jail cases." He stated that outside counsel handling this believed that it was an excellent resolution, and the best resolution attainable under the circumstances, whereby the City and the Public Building Authority would be receiving a substantial settlement from the insurance company representing this particular remaining party in the lawsuit. He stated that it was important to note that the principals of this party appeared to have disappeared, and that reaching this resolution was really felt to be a positive and good development for the City and the Public Building Authority.

President Culver stated that he was aware that some matters such as this were farmed out and asked if this was in collaboration with the attorney group that ordinarily handled

such matters.

Mr. Riley replied in the affirmative, stating that the case was primarily under the supervision, of course, of the City Attorney's office, but that it was also being handled by outside counsel, and that it was absolutely in accord with their recommendation, in fact, their strong recommendation, that this resolution be accepted.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on Resolution No. 16-310, and it was unanimously adopted by the Council members present.

President Culver stated that the next item on the agenda was Non-Roster Communications from the Public.

Ms. Jackie Reed again appeared before the Council, stating that she wanted to thank all the City employees, noting that they were doing a good job, and that the budget would be coming up, and she knew there would be a good raise coming in for them.

Ms. Reed thanked the Council for putting up with her over the years, noting that she was aware it had not been easy. She stated that she also appreciated the public putting up with her.

Ms. Reed stated that she really wanted to know about the jail, noting that they were \$51 million in the hole. She asked

if they were getting money or if they were still paying people.

Ms. Reed noted that the Mayor was not present. She continued that at some time she would like to be able to find out who was running the City. She continued that she would like to know who was in charge of the City of Huntsville. She stated that she had been coming to Council meetings a long time. She stated that the Chamber had gotten \$197,000 to try to go into Cummings Research Park and change it out and make up something. She continued that she did not know what they were doing. She stated that Downtown, Inc., had said that 500 or 600 more condos were needed in the downtown area. She stated further that she was seeing that the young professionals were saying that they were going to do something in the downtown area. She asked if Mayor Battle knew what was going on, if he really knew how much the City owed. She stated that she was going to bring that to the surface sooner or later.

Ms. Reed stated, concerning the Utilities, that the Council should not question the infrastructure, because when they went along and there was all the stuff in the paper that she read about, the Council had okayed this infrastructure. She stated that she had been told that a lot of the Utilities money was going for all this infrastructure.

Ms. Reed thanked Councilman Russell for voting in opposition to the Monte Sano rezoning.

Ms. Reed thanked Councilwoman Robinson for her Town Hall meeting, noting that she realized she had been hard on her on

Grissom High School, asking a lot of questions about the parking. She continued that this was because there were problems at Huntsville High School about the parking that they were attempting to fix at this time. She apologized for being tough on Councilwoman Robinson and stated that she had enjoyed the meeting.

President Culver stated that Ms. Reed's questions were: If they were paying money related to the lawsuit concerning the jail or if they were receiving money.

Mr. Hamilton stated that Ms. Reed had asked several questions, and that he would try to cover all of them.

Councilman Russell stated that he would answer that the Mayor was running the City, if that would help.

President Culver stated that there were also questions concerning the 500 or 600 condos and if the Mayor was aware of what was going on with that.

Mr. Hamilton stated that in the settlement, it was that the City would be receiving funds from that particular company's insurance policy.

Mr. Hamilton stated that the Mayor was, in fact, on a daily basis running the City. He stated that, obviously, there were clear authorities spelled out in State and local laws relative to the authority of the Mayor versus the City Council. He continued that both entities had important roles to play in making sure the City operated properly. He stated that the Mayor was very clear on exactly what was going

on in the City, that he was very clear on exactly how money was being spent, and he was very clear on the debt levels. He continued that he believed the Mayor had a great staff that kept him informed of this and made sure that his attention was focused in the right place at the right time.

Mr. Hamilton stated that as it related to other private entities that were making investments in the city, that there were a lot of them, that a couple of great ones had been mentioned, but that there were several hundred more that were making investments on a daily basis, because Huntsville was a great city, and it was a good place for them to live, to work, to play, to invest their money, and to make a good living. He stated that they did have a lot of great partners, and that there was a lot of work done by private entities to make sure that it remained so, in partnership with the public entities that persons saw represented in the Council Chambers every other Thursday.

Ms. Carol Cotney appeared before the Council, stating that she was homeless, but she did have a P.O. Box, P.O. Box 4653, Huntsville.

Ms. Cotney stated that she would like to congratulate A&M University, noting that they had had a lot of trouble with the State regarding their finances, and that she was glad to see what they were doing.

Ms. Cotney stated that she had some comments that were not going to be well liked. She asked that the Council consider

asking the Madison County Delegation to request a State law change as far as birth certificates, that it would be mandatory that the biological mother's and father's names be on the certificate, with DNA testing to verify it.

Ms. Cotney stated that she believed the current Huntsville Housing Authority Board that had been appointed should be replaced, and that she believed these persons should be barred from serving on any future committees or being funded by the City, as in employment or as contractors. She stated that she believed when this Board was replaced, it should reflect the racial distribution of the city of Huntsville, and that Asians and others be considered, that it should not be just all white and black.

Ms. Cotney stated that she thought all persons who were homeless as of January 1, 2016, at 12:01 a.m., and who had been homeless and residing within the city limits of Huntsville for at least six months should get a Section 8 voucher for one year for housing. She continued that she meant a place to live and utilities, up to one year. She continued that she believed there should be a freeze on all housing transactions in the city until the homeless would be housed. She stated that they had been sitting around, and they had been taking it, but it was time for something to be done.

Ms. Cotney stated, for the Huntsville-Madison County Chamber of Commerce, that all their members who had an engineering position filled by someone who did not have an

engineering degree should either change the title and the job description or these persons should be fired, and the jobs should be filled by people with engineering degrees. She reiterated that there should be a freeze on all hiring in the city of Huntsville until all the homeless were employed, with monetary income.

Ms. Cotney thanked the Council for their time.

President Culver stated to Ms. Cotney that he believed most of the issues she had mentioned should be addressed to the local Legislative delegation, the Madison County Commission, or the Huntsville Housing Authority.

President Culver asked if there was anyone else in the audience who wished to address the Council at this time.

There was no response.

Upon motion, duly seconded, the meeting was adjourned.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER